

FILED BY *[Signature]* D.C.

05 JUN -7 PM 3: 26

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

2005 JUN 7 PM 3:26

ROBERT A. DI TROLIO  
CLERK, U.S. DIST. CT.  
W.D. OF TENN. MEMPHIS

DONALD ELLIOT and KATHLEEN ELLIOT )

Plaintiffs, )

v. )

FIRST TENNESSEE BANK, N.A. )

Defendant. )

No. 05-2175-Ma P

MOTION GRANTED

*[Signature]*  
U.S. MAGISTRATE JUDGE

June 7, 2005  
DATE

**AGREED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendant, First Tennessee Bank National Association ("First Tennessee"), respectfully moves the Court for an extension of time to respond to the Complaint filed in this cause, and states as follows:

Counsel for Plaintiffs and counsel for First Tennessee have agreed, subject to the Court's approval, that First Tennessee may have until April 11, 2005 to respond to the Complaint. Counsel's Certificate of Consultation is attached to, and by referenced made a part of, this Motion.

Respectfully submitted,

*[Signature]*  
R. MARK GLOVER (6807)

JOHN STARNES (21012)

BAKER, DONELSON, BEARMAN,

CALDWELL & BERKOWITZ, P.C.

165 Madison Avenue, Suite 2000

Memphis, TN 38103

*Counsel for First Tennessee Bank National  
Association*

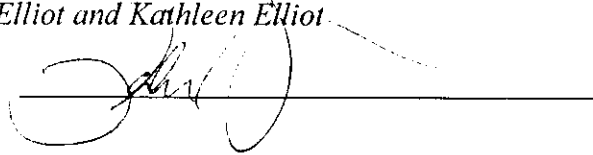
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been provided to the following counsel of record via U.S. Mail, postage prepaid, this the 27 day of March, 2005:

Howard B. Manis, Esq.  
Jason G. Wolfkill, Esq.  
80 Monroe Avenue, Suite G-1  
Memphis, TN 38103

*Counsel for Donald Elliot and Kathleen Elliot*



IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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DONALD ELLIOT and KATHLEEN ELLIOT	)	
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Plaintiffs,	)	No. 05-2175-Ma P
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v.	)	
	)	
FIRST TENNESSEE BANK, N.A.	)	
	)	
Defendant.	)	

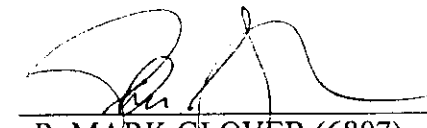
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**CERTIFICATE OF CONSULTATION**

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I, John Starnes, counsel for Defendant, First Tennessee Bank National Association ("First Tennessee"), hereby state that on March 23, 2005, I conferred with Howard B. Manis, counsel for Plaintiffs, regarding First Tennessee's Motion for Extension of Time to Respond to Complaint, and he advised that he consents to the Motion.

Respectfully submitted,



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R. MARK GLOVER (6807)  
JOHN STARNES (21012)  
BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.  
165 Madison Avenue, Suite 2000  
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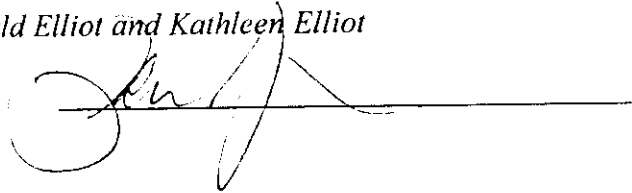
*Counsel for First Tennessee Bank National  
Association*

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Memphis, TN 38103

*Counsel for Donald Elliot and Kathleen Elliot*





## Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 2:05-CV-02175 was distributed by fax, mail, or direct printing on June 8, 2005 to the parties listed.

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Honorable Jon McCalla  
US DISTRICT COURT